

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

-----oo0oo-----

JASVEER SINGH; JESUS MIER; and  
TOMMIE PRUITT,

NO. CIV. S 05-0521 MCE DAD

Plaintiffs,

v.

ORDER

YELLOW TRANSPORTATION, INC.  
dba YELLOW FREIGHT;  
INTERNATIONAL BROTHERHOOD OF  
TEAMSTERS, LOCAL UNION #439;  
DANIEL DRAKE; ROGER PRICE;  
FRANK VELLA and DOES 1 through  
20,

Defendants.

-----oo0oo-----

Through the present motion, Plaintiffs Jasveer Singh, Jesus Mier, and Tommie Pruitt ("Plaintiffs") seek to amend their complaint 1) to include federal civil rights claims, pursuant to 42 U.S.C. § 1981, that correspond to analogous state law claims already presented; and 2) to assert that the discrimination, harassment and retaliation Plaintiffs allegedly have suffered is ongoing in nature. Defendants International Brotherhood of

1 Teamsters, Local Union #439 and Yellow Transportation Inc. filed  
2 statements of non-opposition to Plaintiffs' motion on July 25,  
3 2005. The remaining defendants named in Plaintiffs' complaint,  
4 Daniel Drake, Roger Price, and Frank Vella, have not been served  
5 and have not appeared in this lawsuit.<sup>1</sup>

6 Given Defendants' non-opposition to Plaintiff's request to  
7 amend, and good cause appearing therefor, Plaintiffs' Motion for  
8 Leave to File First Amended Complaint is GRANTED. Plaintiffs  
9 have ten (10) days following the date of this Order to file their  
10 proposed First Amended Complaint. Defendants shall answer or  
11 otherwise respond to said First Amended Complaint within ten (10)  
12 days after its filing and service.

13  
14 IT IS SO ORDERED.

15  
16 DATED: September 7, 2005

17  
18 

19  
20 MORRISON C. ENGLAND, JR.  
21 UNITED STATES DISTRICT JUDGE  
22  
23  
24  
25

---

26 <sup>1</sup>According to the parties' Joint Status Report filed on May  
27 16, 2005, Plaintiffs anticipated either serving or dismissing  
28 those individual defendants within the next sixty (60) days.  
Neither event appears to have yet occurred according to the  
Court's records.